

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CLEMENT D. WARR,)
Plaintiff,)
v.)
NATIONAL GEOSPATIAL)
INTELLIGENCE AGENCY,)
Defendant.)

No. 4:12-CV-0980 FRB

ORDER

This matter is before the Court upon plaintiff's motion to proceed in forma pauperis. Upon consideration of the information in plaintiff's financial affidavit, the Court finds that plaintiff is able to pay the filing fee. Plaintiff's monthly income is \$7,500 and he owns \$400,000 in property value. Additionally, he has \$2,000 cash on hand. As a result, the Court will order plaintiff to pay the statutory filing fee of \$350.00 within thirty days. If plaintiff fails to pay the filing fee as ordered, the Court will dismiss this case without prejudice.

The Court notes that if plaintiff pays the filing fee, plaintiff will be responsible for serving the summons and the complaint upon the defendant or requesting the defendant to waive service of summons. See Fed. R. Civ. P. 4(c), (d). Plaintiff may seek guidance on serving the defendant from the Office of the Clerk.

Furthermore, because plaintiff does not qualify to proceed in forma pauperis, the Court will deny his motion to appoint counsel.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis is **DENIED**. [Doc. 2]

IT IS FURTHER ORDERED that plaintiff shall pay the filing fee of \$350.00 within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that plaintiff's motion to appoint counsel is **DENIED**. [Doc. 4]

IT IS FURTHER ORDERED that if plaintiff fails to pay the filing fee within thirty (30) days, this case shall be dismissed without prejudice.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 15th day of June, 2012.